

DOCKET		9613CR1427		ATTORNEY NAME <input type="checkbox"/> Waived <input type="checkbox"/> Assigned <input type="checkbox"/> Retained <input type="checkbox"/> Assigned but able to contribute \$			
Lynn		NAME, ADDRESS AND ZIP CODE OF DEFENDANT CUSHMAN, RICHARD 20 PEMBERLY DRIVE SAUGUS, MA 01906					
DATE OF BIRTH 01/19/1976		SEX M	RACE W	HEIGHT "	WEIGHT	EYES XXX	HAIR XXX
C.C. #		SOCIAL SECURITY # 016-62-2904					
DATE OF OFFENSE 03/05/1996		PLACE OF OFFENSE SAUGUS					
COMPLAINANT COOK, ARTHUR			POLICE DEPARTMENT SAUGUS PD				
DATE OF COMPLAINT 03/05/1996		RETURN DATE AND TIME					
COUNT-OFFENSE A. 1 - 266/1 ARSON OF DWELLING HOUSE c266 §1				V/W FEE FINE SURFINE COSTS TOTAL DUE			
DATE		PLEA		IMPRISONMENT AND OTHER DISPOSITION			
		<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input type="checkbox"/> Admits suff. facts		<i>Disch'd Ind + Ar</i>			
FINDING		JUDGE					
<i>52456</i> <i>Disch'd</i> <i>Garley</i> <input type="checkbox"/> Cont. w/o finding until: <input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.		FINAL DISPOSITION <input type="checkbox"/> Discharged from probation <input type="checkbox"/> Dismissed at request of probation					
COUNT-OFFENSE B. 1 - 266/5/C BURN MOTOR VEHICLE c266 §5				V/W FEE FINE SURFINE COSTS TOTAL DUE			
DATE		PLEA		IMPRISONMENT AND OTHER DISPOSITION			
		<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input type="checkbox"/> Admits suff. facts		<i>Disch'd Ind + Ar</i>			
FINDING		JUDGE					
<i>52456</i> <i>Disch'd</i> <i>Garley</i> <input type="checkbox"/> Cont. w/o finding until: <input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.		FINAL DISPOSITION <input type="checkbox"/> Discharged from probation <input type="checkbox"/> Dismissed at request of probation					
COUNT-OFFENSE C. 1 - 265/43/A STALKING c265 §43				V/W FEE FINE SURFINE COSTS TOTAL DUE			
DATE		PLEA		IMPRISONMENT AND OTHER DISPOSITION			
		<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input type="checkbox"/> Admits suff. facts		<i>Disch'd Ind + Ar</i>			
FINDING		JUDGE					
<i>52496</i> <i>Disch'd</i> <i>Garley</i> <input type="checkbox"/> Cont. w/o finding until: <input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.		FINAL DISPOSITION <input type="checkbox"/> Discharged from probation <input type="checkbox"/> Dismissed at request of probation					
COUNT-OFFENSE D.				V/W FEE FINE SURFINE COSTS TOTAL DUE			
DATE		PLEA		IMPRISONMENT AND OTHER DISPOSITION			
		<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input type="checkbox"/> Admits suff. facts		<i>6-3-96 BAIL RETURNED TO SURETY, SEE CHECK #5676 \$5000-</i>			
FINDING		JUDGE					
<input type="checkbox"/> Cont. w/o finding until: <input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.		FINAL DISPOSITION <input type="checkbox"/> Discharged from probation <input type="checkbox"/> Dismissed at request of probation					
CONT. TO		PURPOSE		CONT. TO		PURPOSE	
3-15-96		appearance					
4/30/96		P/C					
5-23-96		P/M					
5-24-96		P/M					

DATE	TAPE NO.	CLERK	STOP
DISTRICT COURT OF SOUTHERN ESSEX 500 ESSEX STREET LYNN, MASSACHUSETTS 01901			

CRIMINAL COMPLAINT

2613CR 5199

Case 1:04-cv-11136-CAO Document 12-2

Filed 06/07/2004 Page 2 of 3
Trial Court of Massachusetts
District Court Department

COURT DIVISION

LYNN

NAME, ADDRESS AND ZIP CODE OF DEFENDANT

Richard P. Cushman Jr.
20 Pemberly Drive
Saugus, MA 01906

TO ANY JUSTICE OR CLERK-MAGISTRATE
OF THE DISTRICT COURT DEPARTMENT:

The within named and undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below.

DEF. DOB AND SEX
1/19/76 m/wOFFENSE CODE(S)
211, 31DDATE OF OFFENSE
7/24/96PLACE OF OFFENSE
Saugus/PantaloneCOMPLAINANT
Sgt. Alan EricksonPOLICE DEPARTMENT (if applicable)
SaugusDATE OF COMPLAINT
8/1/96RETURN DATE AND TIME
September 12, 1996 @ 9:00 AM

COUNT-OFFENSE

a. ENT. W/O BK. NIGHT, DWELLG., INT. TO C. FEL. c266 s18

did enter in the night time without breaking, the dwelling house of Janet Burke with intent to commit a felony, no person lawfully therein being put in fear, in violation of G.L. c.266, s.18.

COUNT-OFFENSE

b. LARCENY OF PROPERTY, \$250 OR LESS c266 s30

did steal the property of Janet Burke, said property having a value of two hundred and fifty dollars or less, in violation of G.L. c.266, s.30.

COUNT-OFFENSE

COUNT-OFFENSE

COMPLAINANT

X

FIRST JUSTICE

Joseph I. Dever

SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK

X

ON (DATE)

8-1-96

☐ ADDITIONAL
COUNTS
ATTACHED

COURT ADDRESS

580 Essex Street
Lynn, Ma. 01901

A TRUE
COPY
ATTEST: X
CLERK-MAGISTRATE/ASST. CLERK

ON (DATE)

TRUE COPY ATTEST

CLERK MAGISTRATE
DISTRICT COURT OF SOUTHERN ESSEX
580 ESSEX STREET
LYNN, MASSACHUSETTS 01901

DOCKET

2613CR 5199

Case 1:04-cv-11136-SAC Document 12-2

Filed 06/07/2004

Page 3 of 5

COURT DIVISION

LYNN

NAME, ADDRESS AND ZIP CODE OF DEFENDANT

Richard P. Cushman Jr.
20 Pemberly Drive
Saugus, MA 01906

☐ Retained
☐ Assigned

BAIL WARNING

DATE

9-12-96

PROCEEDING

☒ Arraigned before J. O'NEAL
☒ Advised of right to counsel
☐ Advised of right to drug exam
☐ Advised of right to bail review
☐ Advised of right to F.I. Jury Trial
☐ Waives ☐ Requests F.I. Jury Trial
☐ Advised of alien rights
☒ Warrant issued ☐ Default warrant issued
☐ Default removed ☐ Warrant recalled
☐ Warrant issued ☒ Default warrant issued
☒ Default removed ☐ Warrant recalled

DEF. DOB AND SEX
1/19/76 m/wOFFENSE CODE(S)
211, 312DATE OF OFFENSE
7/24/96PLACE OF OFFENSE
Saugus/PantaloneCOMPLAINANT
Sgt. Alan EricksonPOLICE DEPARTMENT (if applicable)
SaugusDATE OF COMPLAINT
8/1/96RETURN DATE AND TIME
September 12, 1996 @ 9:00 AMCOUNT-OFFENSE
a. ENT. W/O BK. NIGHT DWELLG., INT. TO C. FEL. c266 s13FINE SURFINE COSTS TOTAL DUE
330.55 42.55 860.00 60.00DATE PLEA
☐ Not Guilty ☐ Guilty ☐ Nolo
☐ New Plea: ☐ Admits suff. factsFINDING JUDGE
10-10-96 SF Gailey☐ Cont. w/o finding until: 4-10-97
☐ Appeal of find. & disp. ☐ Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION

4694A000005/04/99VWAF 60.00

DATE
paid 554.00FINAL DISPOSITION
☐ Discharged from probation
☒ Dismissed at request of probation 5-544 PMCOUNT-OFFENSE
b. LARCENY OF PROPERTY, \$250 OR LESS c266 a30

FINE SURFINE COSTS TOTAL DUE

DATE PLEA
☐ Not Guilty ☐ Guilty ☐ Nolo
☐ New Plea: ☐ Admits suff. factsFINDING JUDGE
10-10-96 SF Gailey☐ Cont. w/o finding until: 4-10-97
☐ Appeal of find. & disp. ☐ Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION

4874A000005/11/99IND COUNSL 100.00

DATE

FINAL DISPOSITION
☐ Discharged from probation
☒ Dismissed at request of probation 554.00 PM

COUNT-OFFENSE FINE SURFINE COSTS TOTAL DUE

DATE PLEA
☐ Not Guilty ☐ Guilty ☐ Nolo
☐ New Plea: ☐ Admits suff. facts

FINDING JUDGE

☐ Cont. w/o finding until:
☐ Appeal of find. & disp. ☐ Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION

DATE

FINAL DISPOSITION
☐ Discharged from probation
☐ Dismissed at request of probation

COUNT-OFFENSE FINE SURFINE COSTS TOTAL DUE

DATE PLEA
☐ Not Guilty ☐ Guilty ☐ Nolo
☐ New Plea: ☐ Admits suff. facts

FINDING JUDGE

☐ Cont. w/o finding until:
☐ Appeal of find. & disp. ☐ Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION

DATE

FINAL DISPOSITION
☐ Discharged from probation
☐ Dismissed at request of probation

COUNT-OFFENSE FINE SURFINE COSTS TOTAL DUE

DATE PLEA
☐ Not Guilty ☐ Guilty ☐ Nolo
☐ New Plea: ☐ Admits suff. facts

FINDING JUDGE

☐ Cont. w/o finding until:
☐ Appeal of find. & disp. ☐ Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION

DATE

FINAL DISPOSITION
☐ Discharged from probation
☐ Dismissed at request of probation

COUNT-OFFENSE FINE SURFINE COSTS TOTAL DUE

DATE PLEA
☐ Not Guilty ☐ Guilty ☐ Nolo
☐ New Plea: ☐ Admits suff. facts

FINDING JUDGE

☐ Cont. w/o finding until:
☐ Appeal of find. & disp. ☐ Appeal of disp.

IMPRISONMENT AND OTHER DISPOSITION

DATE

FINAL DISPOSITION
☐ Discharged from probation
☐ Dismissed at request of probation

TRUE COPY ATTEST

Jane Brady Maguire
CLERK MAGISTRATE
DISTRICT COURT OF SOUTHERN ESSEX
580 ESSEX STREET
LYNN, MASSACHUSETTS 01901

CONT TO	PURPOSE	CONT TO	PURPOSE
10-10-96	PTM		
10-10-97	prob		
329 99	prob.		
55 58	P		

DATE	TAPE NO.	START	STOP
3-30-99	310	785	789
4-21-99	375	418	427
5-5-99	448	164	170

RECOGNIZANCE

(Promise to Appear)

Document ID: 136-GAO-0001712004

**COMMONWEALTH
OF MASSACHUSETTS**

Page 4 of 5

DOCKET NUMBER 1
9613CR1427

DEFENDANT'S NAME AND ADDRESS (INCLUDE ANY ALIAS)

RICHARD P CUSHMAN
20 PEMBERLY DR
SAUGUS, MA 01906

TERMS OF RELEASE

☐ PERSONAL RECOGNIZANCE

(Promise to Appear)

☒ BAIL☐ CASH ASSURANCE \$5000☐ BOND ASSURANCE \$☐ OTHER SURETY \$

(Specify)

NAME AND ADDRESS OF COURT

LYNN DC
580 ESSEX ST
LYNN, MA 01901

DATE AND TIME OF APPEARANCE

3/15/96 AT 9 A.M.
DATE TIME

THE DEFENDANT MUST APPEAR AT THIS COURT ADDRESS ON THE DATE AND TIME SPECIFIED HEREIN

SOCIAL SECURITY NUMBER

016-62-2904

DATE OF BIRTH

1/19/76

SURETY SURETIES NAME AND ADDRESS

RICHARD P CUSHMAN
20 PEMBERLY DR
SAUGUS, MA 01906

ARREST ON WARRANT

☒ YES☒ NO

OFFENSE(S)

ALSO OF DWELLING HOUSE

I, as defendant, charged by complaint with the crime(s) listed above, understand that I am being released from custody according to the terms of release specified. I will personally appear before the above named court at the date and time indicated, and I will appear for any continuance until the final decree, sentence or order, and I will abide by it and not depart without leave. Further, I will appear before any court to which the charges may be transferred or appealed, or to any sitting of the Superior Court to which I may be bound over or indicted to answer to any indictment, and I will appear for any continuance until the final decree, sentence or order, and I will abide by it and not depart without leave.

I understand and acknowledge that if I fail without sufficient excuse to appear in accordance with the foregoing promise, I will be liable, jointly and severally if a surety has been required, to the Commonwealth of Massachusetts for the dollar amount specified in the terms of release.

SIGNED (DEFENDANT)

X Richard P Cushman

DATE

3/14/96

I, as surety, understand and acknowledge that if the above named defendant fails to appear and abide by all orders of the court according to the foregoing promise, I will be liable, jointly and severally, with the defendant to the Commonwealth of Massachusetts for the dollar amount specified in the terms of release.

SIGNED (SURETY)

X Richard P Cushman

SIGNED (SURETY)

X

SIGNED (PERSON AUTHORIZED TO TAKE BAIL)

X [Signature]

☐ Clerk-Magistrate☐ Assistant Clerk☒ Bail Commissioner

Subscribed and sworn to before me, the defendant having been furnished a copy of this recognizance.

A. RELEASE AUTHORIZED FROM

ECCF

B. JURISDICTION OF MAGISTRATE

ESSEX

(Complete when appearance is being required outside of your jurisdiction)

BAIL RECEIVED

DISTRICT COURT OF SOUTHERN ESSEX
580 ESSEX STREET
LYNN, MASSACHUSETTS 01901

DATE AND TIME SIGNED

3/14/96 1530 A.M.
P.M.

NOTICE TO DEFENDANT

RECEIPT-RECORD OF PAYMENT OF CASH BAIL

☐ NOT APPLICABLE

DATE

3/14/96

RECEIVED FROM SURETY (NAME AND ADDRESS)

RICHARD P CUSHMAN
20 PEMBERLY DR
SAUGUS, MA 01906

DEFENDANT

RICHARD P CUSHMAN

CASE NUMBER

9613 CR 1427

AMOUNT

FIVE THOUSAND
\$5,000.00

DISTRICT COURT

LYNN DC

RECEIVED BY

JAT

MARCH 15, 1996 9AM

DC-CR-5 (6/95)
SC-1

DEFENDANT'S COPY

DATE

3/14/96

RECEIVED FROM SURETY (NAME AND ADDRESS)

RICHARD P CUSHMAN
20 PEMBERLY DR
SAUGUS, MA 01906

DEFENDANT

RICHARD P CUSHMAN

CASE NUMBER

9613 CR 1427

AMOUNT

FIVE THOUSAND
\$5,000.00

DISTRICT COURT

LYNN DC

RECEIVED BY

JAT

MARCH 15, 1996 9AM

DC-CR-5 (6/95)

MITTIMUS Order of Commitment		<input checked="" type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE	COURT DIVISION LYNN	Trial Court of Massachusetts District Court Department
NAME, ADDRESS AND DOB OF DEFENDANT Cushman, Richard 20 Pembury Drive Salem, MA DOB: 1-19-76 W/M		DOCKET NUMBER(S) 9613 CR 1427	OFFENSE(S) (Include Chap. and Sec. of G.L.) 1. ARSON of Dwelling House 266 S1 2. BURN MOTOR Vehicle c 266 S5 3. STALKING C265 S43	

WHEREAS THE ABOVE NAMED DEFENDANT HAS ON THIS DATE OF ISSUE BEEN BEFORE THIS DISTRICT COURT ON A COMPLAINT ALLEGING THE OFFENSE(S) LISTED ABOVE:

- ☒ The court finds there is just cause to hold the defendant because the accused is unable or unwilling to recognize for his next court appearance in the amount ordered by the court; and
☐ It is adjudged that the defendant is guilty of the offense(s) as shown above and convicted; and
☐ It is adjudged that the defendant is found delinquent of the offenses as shown above; and
☐ Other (specify):

IT IS THEREFORE ORDERED THAT THE DEFENDANT BE COMMITTED TO THE: **\$50,000 Bond**

- ☒ **ESSEX** County Jail/House of Correction } in lieu of \$ **5,000** and there
 await his next court appearance at the

☐ Department of Youth Services at _____

A. ☒ **LYNN** District Court on **5-24-96** at **9 AM** DATE TIME

B. ☐ _____ District Court jury session on _____ DATE TIME

C. ☐ Superior Court next to be holden at _____ County.

☐ _____ County Jail/House of Correction and confined there for a period of _____

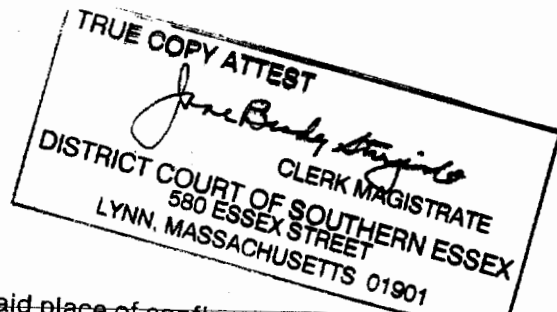
☐ Massachusetts Correctional Institution at _____ and confined there for a period of _____

☐ Department of Youth Services at _____ for a period of _____

It is further ordered that the defendant receive credit of _____ days confined awaiting trial.

Other and further orders of this court:

No Body 5/23/96



TO ANY OFFICER AUTHORIZED TO SERVE CRIMINAL PROCESS:

WE COMMAND YOU THEREFORE to convey the said defendant safely to said place of confinement and deliver him to the keeper thereof; and the said keeper is commanded to receive the said defendant into his custody and keep him safely until he is brought before the court, serves his sentence, posts bail as ordered or otherwise is legally discharged.

WITNESS:

FIRST JUSTICE

JOSEPH T. DEVER

DATE OF ISSUE

5-23-96

CLERK-MAGISTRATE/ASST. CLERK

X

RETURN OF SERVICE — RECEIPT OF RECEIVING OFFICIAL

The person making service, named below, has conveyed the defendant to the above named institution and has left with the keeper thereof a copy of this order with the return thereon; and the receiving official, named below, has received said defendant.

DATE OF SERVICE

TIME OF SERVICE

SIGNATURE OF PERSON MAKING SERVICE

X

SIGNATURE OF RECEIVING OFFICIAL

X